

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BOB WINCEK, a Wisconsin citizen,  
and IRINA IVANOVA-WINCEK, a  
Wisconsin citizen,

Plaintiffs,

**V.**

ARTHUR V. VEAL, IV, an Illinois citizen, CHICAGO TITLE AND TRUST COMPANY, not individually but as Trustee of the Land Trust dated 11/1/06 and known by Trust No. 8002348216, an Illinois land trust, WE BUY HOUSES HOME SERVICES, LLC, an Illinois Limited Liability Corporation, and TRUE NUMBERS LLC, an Illinois Limited Liability Corporation,

Defendants.

Case Number: 1:20-cv-03296

Judge: Honorable Franklin U. Valderrama

Magistrate Judge: Susan E. Cox

## PLAINTIFFS' MOTION FOR ENTRY OF JUDGMENT

NOW COME Plaintiffs, BOB WINCEK and IRINA IVANOVA-WINCEK (collectively, “Plaintiffs” or the “Winceks”), by their attorneys, Weissberg and Associates, Ltd., and as *Plaintiffs’ Motion for Entry of Judgment*, state as follows:

1. On November 21, 2023, at 10:00 a.m., Plaintiffs filed their *Motion to Reinstate Case for the Purpose of Enforcing Settlement Agreement* (DE 89) (“Motion to Enforce”). See, Motion to Enforce attached hereto as **Exhibit 1**.
2. On January 23, 2023, this Court granted the Motion to Enforce and set a briefing schedule for Plaintiffs to submit a fee petition by February 7, 2023, and for Defendants to object to the prove-up affidavit by February 14, 2023 (DE 93). See, Order attached hereto as **Exhibit 2**.
3. In their Motion to Reinstate, Plaintiffs sought \$18,956.25 in attorney’s fees which

was granted by this Court.

3. Plaintiffs filed their *Petition for Attorney's Fees* on February 6, 2023 (DE 94) ("Fee Petition"). See, Fee Petition attached hereto as **Exhibit 3**. Inadvertently, Plaintiffs included in its Fee Petition, the same \$18,956.25 that this Court previously granted when it granted the Motion to Reinstate.

4. Accordingly, Plaintiffs are submitting their *Amended Verified Petition for Attorneys' Fees* ("Amended Fee Petition") contemporaneous with this submission, which no longer takes into consideration the original \$18,956.25 that was previously granted by the Court.

5. Pursuant to paragraph 4 of the Settlement Agreement, Defendant agreed to reimburse Plaintiffs for attorney's fees relating to prosecuting this lawsuit, as well as a foreclosure lawsuit involving a property located at 126 Westwood Drive, Park Forest, Illinois (the "Westwood Property"). See, Settlement Agreement attached as **Exhibit 4**. As part of Plaintiffs' efforts to prosecute the Westwood Property foreclosure case ("Westwood Foreclosure Case"), it was necessary for Plaintiffs to resolve a Complaint for Abandonment ("Abandonment Complaint") filed by the Village of Park Forest to have the Westwood Property deemed abandoned in the case captioned as, *Village of Park Forest v. Bob Wincek, et al.* that was pending in the Circuit Court of Cook County, Illinois, Sixth Municipal District as Case No. 2022-M6-009694. See, Abandonment Complaint attached hereto as **Exhibit 5**. Had the Village of Park Forest been successful in obtaining the relief it sought, this would have adversely impacted and made Plaintiffs' Westwood Foreclosure Case moot since the Village of River Forest would obtain title to the Westwood Property. Accordingly, it was necessary for Plaintiffs' counsel to resolve the issues relating to the Abandonment Complaint in order to successfully prosecute the Westwood Foreclosure Case, which Plaintiffs' counsel was able to do. Accordingly, Plaintiffs seek its attorney's fees incurred

defending and resolving the Abandonment Complaint. The amount of attorney's fees and costs relating to the defense and resolution of the Abandonment Complaint is \$937.50.

6. The amount of attorney's fees and costs incurred by Plaintiffs in prosecuting the instant case -- which was not included in the \$18,956.25 fees previously awarded by this Court ("Initial Fee Award") -- is \$7,206.25, plus an additional \$801.00 in court costs that were never included in the Initial Fee Award.

7. Plaintiffs' attorney's fees and court costs in prosecuting the Westwood Foreclosure case were \$18,400.00 in fees plus expenses of \$438.00 -- for a total of \$18,838.00.

8. Final judgment was never entered by the Court pursuant to the unopposed Fee Petition, and significant time has elapsed since the submission of the Fee Petition, and Plaintiffs have reason to believe Defendants are dissipating assets much to Plaintiffs prejudice.

9. Accordingly, Plaintiffs request a final judgment in the amount of \$408,145.17, comprising of the \$380,362.42 this Court granted when it enforced the Settlement Agreement, plus the attorney's fees and costs incurred by Plaintiffs in prosecuting this case since this Court granted the Motion to Reinstate, prosecuting the Westwood Foreclosure case, and defending the Abandonment Complaint, which total \$27,782.75.

10. However, to the extent this Court does not grant Plaintiffs' attorney's fees relating to the Abandonment Complaint, Plaintiffs seek a judgment in the amount of \$407,207.67, which includes only attorney's fees for prosecuting this lawsuit and the Westwood Foreclosure Case.

WHEREFORE, Plaintiffs, BOB WINCEK and IRINA IVANOVA-WINCEK, pray that this Court enter final judgment in Plaintiffs' favor and against Arthur V. Veal, IV individually and Chicago Title Land Trust Company, as Trustee of the Land Trust dated 11/1//06 and known as Trust No. 8002348216, We Buy Houses Homes Services, LLC and True Numbers,

LLC, jointly and severally, in the amount of \$408,145.17; and for such other and further relief as this Court deems just and proper in Plaintiffs' favor.

**BOB WINCEK and IRINA  
IVANOVA-WINCEK, Plaintiffs**

By: /s/ Rakesh Khanna  
One of their attorneys

Ariel Weissberg, Esq.  
Rakesh Khanna, Esq.  
Weissberg and Associates, Ltd.  
125 South Wacker Drive, Suite 300  
Chicago, Illinois 60606  
T: 312-663-0004  
Email: [rakesh@weissberglaw.com](mailto:rakesh@weissberglaw.com)  
Attorney ID No: 6243244

### CERTIFICATE OF SERVICE

I, Rakesh Khanna, certify that on October 4, 2023, I caused to be filed ***Plaintiffs' Motion for Entry of Judgment***. Notice of this filing was sent to all parties registered to receive notice in this case by electronic transmission through the court's CM/ECF system, including to the following parties:

Anthony D. Andrews, Esq.

Law Firm of Anthony D. Andrews, PC

18027 Harwood Ave.-Upper Level

Homewood, Illinois 60430

Email: [Tdrews34@yahoo.com](mailto:Tdrews34@yahoo.com)

*(on behalf of Arthur V. Veal, IV, Chicago Title and Trust Company-Trust No. 8002348216, We Buy Houses Home Services, LLC and True Numbers, LLC)*

Rakesh Khanna

Rakesh Khanna